

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

BRIAN STRETCH (CABN 163973)  
Chief, Criminal Division

JEANE HAMILTON (CABN 157834)  
Special Assistant United States Attorney

450 Golden Gate Avenue  
San Francisco, California 94102  
Telephone: (415) 436-7129  
Facsimile: (415) 436-7234  
E-Mail: Jeane.Hamilton2@usdoj.gov

Attorneys for the United States

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	Criminal No. CR 09-0121 MHP
	)	
Plaintiff,	)	
	)	
v.	)	<del>PROPOSED</del> ORDER AND
	)	STIPULATION EXCLUDING TIME
JOSE BENITO RAYMUNDO-GOMEZ,	)	FROM FEBRUARY 13, 2009 TO MARCH
a/k/a BENITO R. GOMEZ,	)	2, 2009
a/k/a JOSE GOMEZ,	)	
	)	
Defendant.	)	
	)	
	)	

The parties appeared before the Honorable Elizabeth D. LaPorte on February 13, 2009.  
With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from February 13, 2009 to March 2, 2009, in light of defense counsel's planned absence from this District and his need to review discovery. Failure to grant the requested continuance would unreasonably deny defense continuity of counsel and deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the

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1 need for counsel to review the discovery with the defendant.

2 2. Given these circumstances, the Court found that the ends of justice served by  
3 excluding the period from February 13, 2009 to March 2, 2009, outweigh the best interest of the  
4 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

5 3. Accordingly, and with the consent of the defendant, the Court ordered that the period  
6 from February 13, 2009 to March 2, 2009, be excluded from Speedy Trial Act calculations under  
7 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

8 IT IS SO STIPULATED.

9  
10 DATED: February 13, 2009

\_\_\_\_\_  
/s/  
LOREN STEWART  
Counsel for Jose Benito Raymundo-Gomez

11  
12  
13 DATED: February 13, 2009

\_\_\_\_\_  
/s/  
JEANE HAMILTON  
Special Assistant United States Attorney

14  
15 IT IS SO ORDERED.

16  
17  
18 DATED: 2/18/2009



**[PROPOSED] ORDER AND  
STIPULATION EXCLUDING TIME  
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